

## Message Text

UNCLASSIFIED

PAGE 01 TEL AV 04939 140826Z  
ACTION SCS-06

INFO OCT-01 NEA-10 ISO-00 CA-01 JUSE-00 L-03 /021 W  
-----007551 140921Z /15

P 131516Z APR 78  
FM AMEMBASSY TEL AVIV  
TO SECSTATE WASHDC PRIORITY 2552

UNCLAS TEL AVIV 4939

E.O. 11652: N/A

TAGS: CGEN

SUBJECT: (JUDICIAL ASSISTANCE) U.S. V. FEDORENKO

REF: STATE 92659; STATE 87477; TEL AVIV 4685

1. EXPERIENCED COURT REPORTERS ARE NOT AVAILABLE IN ISRAEL.  
A COURT REPORTER FROM THE U.S. WILL BE REQUIRED.
2. EMBASSY HAS LEARNED OF THREE MANNERS FOR HOLDING PROPOSED  
HEARINGS IN ISRAEL:  
(A) HEARINGS MAY BE CONDUCTED ENTIRELY ON EMBASSY PREMISES  
WITHOUT REFERENCE TO ISRAELI AUTHORITIES.  
(B) A FORMAL APPLICATION MAY BE MADE BY THE EMBASSY TO HOLD  
JUDICIAL HEARINGS IN ISRAEL. THIS REQUEST WOULD BE  
TRANSMITTED TO THE MINISTRY OF JUSTICE AND AN ISRAELI JUDGE  
ASSIGNED TO PARTICIPATE IN THE HEARINGS. AN ISRAELI COURTROOM  
WOULD PROBABLY BE USED IN THE EVENT THIS METHOD IS SELECTED.  
ACCORDING TO MFA' LEGAL ADVISOR'S OFFICE, FORMAL ATTANGEMENTS  
WOULD REQUIRE APPROXIMATELY THREE MONTHS TO COMPLETE.  
(C) THE THIRD AND RECOMMEND OPTION IS AN EXCHANGE OF  
DIPLOMATIC NOTES IN WHICH THE EMBASSY REQUESTS PERMISSION FOR A  
U.S. JUDGE TO HOLD HEARINGS IN ISRAEL INDICATING NATURE  
OF THE PROCEEDINGS, PROSPECTIVE WITNESSES AND THE  
MANNER, PLACE AND TIME THE HEARINGS WOULD BE CONDUCTED.
3. MFA AND EMBASSY VIEW OPTION (C) AS BEST ALTERNATIVE. IF  
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THE JUDGE AGREES, REQUEST THAT ASSISTANT U.S. ATTORNEY PROVIDE  
INFORMATION FOR INCLUSION IN EMBASSY NOTE.

4. NEARBY COUNTRIES TO WHICH WITNESSES WOULD BE ABLE TO  
TRAVEL ARE SOMEWHAT LIMITED. WE SEE NO ADVANTAGE TO HOLDING  
HEARINGS IN CYPRUS, RHODES OR ATHENS, ALL OF WHICH WOULD  
REQUIRE BOTH TRAVEL AND SUBSISTENCE COSTS FOR WITNESSES, GREATLY

EXCEEDING POSSIBLE GAINS ON COST OF LIVING DIFFERENTIALS.  
LEWIS

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## Message Attributes

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**Concepts:** n/a  
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**Disposition Case Number:** n/a  
**Disposition Comment:**  
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